

1 CHILDREN'S ADVOCACY INSTITUTE
2 CENTER FOR PUBLIC INTEREST LAW
3 University of San Diego School of Law
4 Robert C. Fellmeth (CA SBN 49897)
5 Christina McClurg Riehl (CA SBN 216565)
6 Elisa D'Angelo Weichel (CA SBN 149320)
5998 Alcala Park
San Diego, California 92110
Telephone: 619.260.4806
Facsimile: 619.260.4753
cpil@sandiego.edu

7 **Attorneys for Objectors**

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANGEL FRALEY; PAUL WANG; SUSAN
MAINZER; JAMES H. DUVAL, a minor, by and
through JAMES DUVAL, as Guardian ad Litem;
and W.T., a minor, by and through RUSSELL
TAIT, as Guardian ad Litem; individually and on
behalf of all others similarly situated,

Plaintiffs,

v.

FACEBOOK, INC., a corporation; and DOES 1-
100,

Defendants.

Case No11-CV-01726 RS

**DECLARATION OF MICHAEL S.
DEPOT IN SUPPORT OF
OBJECTION (CLASS ACTION)**

Date: June 28, 2013
Time: 10:00 a.m.
Ctrm: Courtroom 3
Judge: Honorable Richard Seeborg

1 I, Michael S. Depot, declare as follows:

2 1. If called upon to testify to the facts contained in this declaration, I could and would
3 competently do so.

4 2. I have a Facebook account.

5 3. My Facebook account was created January 20, 2009.

6 4. The email account associated with my Facebook account is mdepot@comcast.net.

7 5. My address is 5 Chestnut Street, Plainville, MA 02762.

8 6. My phone number is (508) 695-6063.

9 7. I have two children named Katelyn Depot and Christopher Depot, respectively.

10 8. Both of my children have Facebook accounts.

11 9. My children received a legal notice pertaining to the case of *Fraley v. Facebook*.

12 10. This legal notice was sent to their personal email addresses.

13 11. My son's notice was filtered into his SPAM mailbox.

14 12. I did not receive any independent notification from FACEBOOK to indicate that
15 my children received legal notices.

16 13. The legal notice my children received indicated their names and images were used
17 for advertising purposes.

18 14. At no point did FACEBOOK seek or obtain my consent to use my children's
19 names or images.

20 15. I do not want FACEBOOK to use my children's names and images for advertising
21 purposes.

22 16. I have discussed the Proposed Settlement in the case of *Fraley v. Facebook* with
23 my children.

24 17. My children wish to object to the Proposed Settlement in the case of *Fraley v.*
25 *Facebook*.

26 18. I also object to the Proposed Settlement in the case of *Fraley v. Facebook*.

27 ///

28 ///

1 I declare under the penalty of perjury under the laws of the United States of America that
2 the foregoing is true and correct.

3 Executed on May 1, 2013, in Plainville, Massachusetts.

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5 By: /s/ Michael S. Depot
6 Michael S. Depot

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DECLARATION OF SERVICE

I, Elisa Weichel, declare as follows:

I am employed in the County of San Diego, State of California; I am over the age of 18 years and am not a party to this action; my business address is 5998 Alcalá Park, San Diego, CA 92110, in said County and State. On May 1, 2013, I served the within **DECLARATION OF MICHAEL S. DEPOT IN SUPPORT OF OBJECTION (CLASS ACTION)** to all named counsel of record as follows:

- BY ECF (ELECTRONIC CASE FILING):** I e-filed the above-detailed documents utilizing the United States District Court, Northern District of California's mandated ECF (Electronic Case Filing) service. Counsel of record are required by the Court to be registered e-filers, and as such are automatically e-served with a copy of the documents upon confirmation of e-filing.

I certify under penalty of perjury that the foregoing is true and correct, that the foregoing document(s) were printed on recycled paper, and that this Declaration of Service was executed by the undersigned on May 1, 2013 at San Diego, California.

Elisa Weichel
ELISA WEICHEL